

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1307 - HB 1361

March 22, 2021

SUMMARY OF ORIGINAL BILL: Prohibits landlords from imposing penalties against or restricting the right of a tenant for summoning law enforcement or emergency assistance. Prohibits a local government from enacting certain ordinances, rules, and regulations related to landlords and tenants.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005322): Deletes and rewrites all language after the enacting clause such that the substantive changes: (1) specify that the proposed language does not prohibit a breach of lease or law by a resident tenant for committing certain acts; and (2) expand applicability to counties governed under the *Uniform Residential Landlord and Tenant Act*.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed language prohibits local governments from enacting ordinances, rules, and regulations which:
 - Authorize the imposition of a penalty against a landlord or tenant because such landlord or tenant was a victim of abuse or crime; and
 - Authorize the imposition of a penalty against a landlord or tenant because they summoned law enforcement or emergency assistance in certain circumstances.
- This analysis assumes:
 - Public housing authorities neither restrict the rights of nor impose penalties against tenants in such circumstances; and
 - There are currently no local ordinances, rules, or regulations which impose penalties against landlords or tenants in such circumstances.

- Local governments will not establish ordinances, rules, or regulations which impose such penalties; therefore, any fiscal impact to local government is estimated to be not significant.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- This analysis assumes that private landlords impose penalties against or restrict such rights of tenants only as a direct result of local ordinances, rules, or regulations which would impose penalties against the private landlord for law enforcement or emergency services being summoned to rental properties.
- Due to the fact that no such local ordinances, rules, or regulations are currently established, it is reasonably assumed that no private landlords impose such penalties or establish such restrictions against tenants.
- The proposed language will not result in any significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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